

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:99-cv-02305-HHK**

COOPER v. DOJ, et al  
Assigned to: Judge Henry H. Kennedy  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 08/30/1999  
Date Terminated: 06/11/2002  
Jury Demand: None  
Nature of Suit: 550 Prisoner Petition:  
Civil Rights (Other)  
Jurisdiction: U.S. Government  
Defendant

**Plaintiff****ERIC BURTON COOPER**

represented by **ERIC BURTON COOPER**  
R26710-037 Rm 101-N  
BALTIMORE CCM  
10010 Junction Drive  
Annapolis Junction, MD 20701  
PRO SE

V.

**Defendant****U.S. DEPARTMENT OF JUSTICE**

represented by **David J. Ball , Jr.**  
PAUL, WEISS, RIFKIND, WHARTON  
& GARRISON, L.L.P.  
2001 K Street, NW  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant****FEDERAL BUREAU OF  
INVESTIGATION**

represented by **David J. Ball , Jr.**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

| <b>Date Filed</b> | <b>#</b> | <b>Docket Text</b>   |
|-------------------|----------|--|
| 08/30/1999        | 1        | COMPLAINT filed by plaintiff ERIC BURTON COOPER; attachments (cjp) (Entered: 08/31/1999) |
| 08/30/1999        |          | SUMMONS NOT ISSUED. (cjp) (Entered: 08/31/1999)  |

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| 08/30/1999 | 2  | APPLICATION by plaintiff ERIC BURTON COOPER to proceed in forma pauperis (cjp) (Entered: 08/31/1999)  |
| 08/30/1999 | 3  | ORDER by Judge Gladys Kessler : directing prisoner plaintiff to provide a trust fund statement to the court by 9/29/99 for ERIC BURTON COOPER . (N) (cjp) (Entered: 08/31/1999)   |
| 09/22/1999 | 4  | TRUST FUND ACCOUNT filed by plaintiff ERIC BURTON COOPER pursuant to order [3-1], [3-2] . (glb) (Entered: 10/21/1999)   |
| 10/21/1999 | 5  | ORDER by Judge Aubrey E. Robinson : granting motion to proceed in forma pauperis [2-1] by ERIC BURTON COOPER directing that monthly payments be made from the prisoner account of ERIC BURTON COOPER . (N) (glb) (Entered: 10/21/1999)  |
| 10/21/1999 |    | CASE REASSIGNED from unassigned to Judge Henry H. Kennedy (tb) (Entered: 10/25/1999)  |
| 12/03/1999 |    | SUMMONS (4) issued to federal party(s) federal defendant DOJ, federal defendant FBI, and non-parties: U.S. Attorney and U.S. Attorney General. (dam) (Entered: 12/06/1999)  |
| 12/10/1999 |    | SUMMONS (4) issued to federal party(s) federal defendant DOJ, federal defendant FBI , and non-parties: U.S. Attorney and U.S. Attorney General. (dam) (Entered: 12/13/1999)   |
| 12/14/1999 | 6  | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 12/13/99 (dam) (Entered: 12/14/1999)  |
| 12/14/1999 | 7  | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 12/13/99 (dam) (Entered: 12/14/1999)  |
| 12/14/1999 | 8  | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 12/13/99 upon federal defendant DOJ (dam) (Entered: 12/14/1999)  |
| 12/14/1999 | 9  | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 12/13/99 upon federal defendant FBI (dam) (Entered: 12/14/1999)  |
| 01/12/2000 | 10 | ANSWER TO COMPLAINT [1-1] by federal defendant DOJ, federal defendant FBI . (dam) (Entered: 01/13/2000)   |
| 01/21/2000 | 11 | ORDER by Judge Henry H. Kennedy : dispositive motions due 3/3/00 ; (N) (dcn) (Entered: 01/21/2000)  |
| 02/28/2000 | 12 | MOTION filed by federal defendant DOJ, federal defendant FBI to extend time to 3/8/00 to coordinate filing of defendant's motion with the filing of defendant's opposition to plaintiff's motion for summary judgment (cjp) (Entered: 02/29/2000)   |
| 02/29/2000 | 13 | MOTION filed by plaintiff ERIC BURTON COOPER for summary judgment (cjp) (Entered: 03/02/2000)   |
| 03/02/2000 | 14 | ORDER by Judge Henry H. Kennedy : granting motion to extend time to 3/8/00 to coordinate filing of defendant's motion with the filing of defendant's opposition to plaintiff's motion for summary judgment [12-1] by FBI, DOJ dispositive motions due by 3/8/00 ; (N) (dcn) (Entered: 03/02/2000) |

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| 03/08/2000 | 15                 | MOTION filed by federal defendant DOJ, federal defendant FBI for leave to substitute the DOJ as the only defendant , and for a stay of remaining proceedings ; exhibits (10); declaration (1) (bjsp) (Entered: 03/09/2000)   |
| 03/16/2000 | <a href="#">16</a> | ORDER by Judge Henry H. Kennedy : that plaintiff shall respond to the defendant's motion by 4/3/00 (N) (adc) (Entered: 03/16/2000)   |
| 03/29/2000 | 17                 | SUPPLEMENTAL MEMORANDUM by plaintiff ERIC BURTON COOPER in support of motion for summary judgment [13-1] by ERIC BURTON COOPER (cjp) (Entered: 03/30/2000)   |
| 03/29/2000 | 18                 | RESPONSE by plaintiff ERIC BURTON COOPER in opposition to motion for a stay of remaining proceedings [15-2] by FBI, DOJ (cjp) (Entered: 03/30/2000)  |
| 03/31/2000 | 19                 | REPLY by federal defendant DOJ, federal defendant FBI in support of their motion for leave to substitute the DOJ as the only defendant [15-1] and for a stay of remaining proceedings [15-2] (cjp) (Entered: 04/03/2000)   |
| 04/05/2000 | 20                 | MOTION filed by plaintiff ERIC BURTON COOPER to substitute address to reflect plaintiff's transfer to FPC Allenwood attachments (1) (dam) Modified on 04/06/2000 (Entered: 04/06/2000)   |
| 04/18/2000 | 21                 | REPLY (SUR-REPLY) by plaintiff ERIC BURTON COOPER to response to motion for leave to substitute the DOJ as the only [15-1] by FBI, DOJ, motion for a stay of remaining proceedings [15-2] by FBI, DOJ.; LET THIS BE FILED (KENNEDY, J.) (dam) (Entered: 04/18/2000)  |
| 06/01/2000 | 22                 | MOTION (COPY) filed by plaintiff ERIC BURTON COOPER for emergency relief , and to strike motion to substitute address to reflect plaintiff's transfer to FPC Allenwood [20-1] ; "Let this be filed" J. KENNEDY (tb) (Entered: 06/02/2000)  |
| 06/01/2000 | 23                 | RESPONSE by federal defendant DOJ, federal defendant FBI in opposition to motion for emergency relief [22-1] by ERIC BURTON COOPER, motion to strike motion to substitute address to reflect plaintiff's transfer to FPC Allenwood [20-1] [22-2] by ERIC BURTON COOPER . (tb) (Entered: 06/02/2000)  |
| 06/21/2000 | 24                 | REPLY by plaintiff ERIC BURTON COOPER to defendant's opposition to motion for emergency relief [22-1] by ERIC BURTON COOPER, motion to strike motion to substitute address to reflect plaintiff's transfer to FPC Allenwood [20-1] [22-2] by ERIC BURTON COOPER (dam) (Entered: 06/22/2000)  |
| 06/28/2000 | <a href="#">25</a> | MEMORANDUM AND ORDER by Judge Henry H. Kennedy : denying motion for summary judgment [13-1] by ERIC BURTON COOPER, granting motion for leave to substitute the DOJ as the only defendant [15-1] by FBI, DOJ, finding motion to substitute address to reflect plaintiff's transfer to FPC Allenwood by ERIC BURTON COOPER [20-1] moot, denying motion for emergency relief [22-1] by ERIC BURTON COOPER, denying motion to strike motion to substitute address to reflect plaintiff's transfer to FPC Allenwood [20-1] [22-2] by ERIC BURTON COOPER, granting motion for a stay of remaining proceedings [15-2] by FBI, DOJ Status Report due: 10/1/00 for FBI, for DOJ (N) (dcn) (Entered: 06/29/2000) |

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| 08/24/2000 | 26                 | NOTICE OF INTERLOCUTORY APPEAL (COPY) by plaintiff ERIC BURTON COOPER from order Status Report due: 10/1/00 for FBI, for DOJ [25-1], order [25-2], entered on: 06/29/00; IFP-NO FEES PAID, copies mailed to Eric Cooper and David Ball, Jr. (tb) Modified on 08/25/2000 (Entered: 08/25/2000) |
| 08/25/2000 |                    | TRANSMITTED PRELIMINARY RECORD on appeal [26-1] by ERIC BURTON COOPER to U.S. Court of Appeals (tb) (Entered: 08/25/2000)   |
| 09/01/2000 |                    | USCA # 00-5301 assigned for appeal [26-1] by ERIC BURTON COOPER (dam) (Entered: 09/05/2000)   |
| 09/29/2000 | 27                 | STATUS REPORT by federal defendant DOJ, federal defendant FBI (td) (Entered: 10/02/2000)  |
| 09/29/2000 | 28                 | MOTION filed by federal defendant DOJ, federal defendant FBI for leave to file a further status report by January 5, 2001. (td) (Entered: 10/02/2000)   |
| 10/20/2000 | <a href="#">29</a> | ORDER by Judge Henry H. Kennedy : granting motion for leave to file a further status report by January 5, 2001. [28-1] by FBI, DOJ (N) (dcn) (Entered: 10/20/2000)  |
| 11/01/2000 | 30                 | RESPONSE (OPPOSITIONS) by plaintiff ERIC BURTON COOPER to motion for leave to file a further status report by January 5, 2001. [28-1] by FBI, DOJ; "Let this be filed" J. KENNEDY (tb) (Entered: 11/08/2000)  |
| 11/01/2000 | 31                 | MOTION filed by plaintiff ERIC BURTON COOPER for order modifying courts memorandum and order ; "Let this be filed" J. KENNEDY (tb) (Entered: 11/08/2000)  |
| 11/07/2000 | 32                 | REPLY by federal defendant DOJ, federal defendant FBI to motion for leave to file a further status report by January 5, 2001. [28-1] by FBI, DOJ (tb) (Entered: 11/09/2000)   |
| 11/07/2000 | 33                 | MOTION filed by federal defendant DOJ, federal defendant FBI for order modifying courts memorandum and order (tb) (Entered: 11/09/2000)   |
| 12/07/2000 | 35                 | SUPPLEMENTAL MEMORANDUM by plaintiff ERIC BURTON COOPER to motion for order modifying courts memorandum and order [31-1] by ERIC BURTON COOPER, objection [30-1] by ERIC BURTON COOPER; exhibits (1); "Let this be filed" J. KENNEDY (tb) Modified on 12/13/2000 (Entered: 12/13/2000)        |
| 12/12/2000 | 34                 | CERTIFIED COPY of Order filed in USCA dated 12/11/00, referencing appeal [26-1] , dismissing appeal . USCA # 00-5301 (cjp) (Entered: 12/13/2000)  |
| 01/05/2001 | 36                 | STATUS REPORT (SECOND) by federal defendants DOJ and FBI (cdw) (Entered: 01/08/2001)  |
| 01/05/2001 | 37                 | MOTION filed by federal defendants DOJ and FBI for leave to file a further status report by 8/1/01 ; (no pending exhibit), declarations (1), exhibits (2) (cdw) (Entered: 01/08/2001)   |
| 01/11/2001 | <a href="#">38</a> | ORDER by Judge Henry H. Kennedy : denying motion for order modifying courts memorandum and order [31-1] by ERIC BURTON COOPER (N) (dcn) (Entered: 01/11/2001)   |

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| 01/19/2001 | 41                 | MOTION filed by plaintiff ERIC BURTON COOPER for leave to file plaintiff's consolidated opposition to defendant's motion for leave to file a further status report and motion for order modifying court's memorandum and order ; EXHIBIT (oppositon) (td) (Entered: 01/24/2001)   |
| 01/23/2001 | 39                 | RESPONSE (consolidated) by plaintiff ERIC BURTON COOPER to motion for leave to file a further status report by 8/1/01 [37-1] and second status report [36-1]; attachments (2) (td) (Entered: 01/24/2001)  |
| 01/23/2001 | 40                 | MOTION filed by plaintiff ERIC BURTON COOPER for court to make a part of the record plaintiff's consolidated opposition to defendant's motion for leave to file a further status report and motion for order modifying court's memorandum and order ; attachments (2) (td) (Entered: 01/24/2001)  |
| 01/24/2001 | 42                 | LETTER by plaintiff regarding submission on 10/23/00; (FIAT. Judge Kennedy) (td) (Entered: 01/26/2001)  |
| 05/09/2001 | <a href="#">43</a> | ORDER by Judge Henry H. Kennedy : granting motion for leave to file a further status report by 8/1/01 [37-1] by FBI, DOJ, denying motion for order modifying courts memorandum and order [33-1] by FBI, DOJ, denying motion for court to make a part of the record plaintiff's consolidated opposition to defendant's motion for leave to file a further status report and motion for order modifying court's memorandum and order [40-1] by ERIC BURTON COOPER, denying motion for leave to file plaintiff's consolidated opposition to defendant's motion for leave to file a further status report and motion for order modifying court's memorandum and order [41-1] by ERIC BURTON COOPER Status Report due: 8/1/01 NO FURTHER EXTENSIONS OF TIME WILL BE GRANTED WITHOUT GOOD CAUSE SHOWN (N) (dcn) (Entered: 05/10/2001) |
| 06/22/2001 | 44                 | STATUS REPORT (THIRD) by federal defendant DOJ; exhibits (1) (cdw) (Entered: 06/25/2001)  |
| 07/05/2001 | 45                 | MOTION filed by plaintiff ERIC BURTON COOPER to extend time for submitting copying fees (cdw) (Entered: 07/09/2001)   |
| 07/13/2001 | <a href="#">46</a> | ORDER by Judge Henry H. Kennedy : granting motion to extend time to 9/1/01 for submitting copying fees of \$72.30 [45-1] by ERIC BURTON COOPER (N) (dcn) (Entered: 07/13/2001)  |
| 08/03/2001 | 47                 | RESPONSE by plaintiff ERIC BURTON COOPER to order [46-1] of 7/13/01 regarding copying fees; exhibits (1) (cdw) (Entered: 08/07/2001)  |
| 08/31/2001 | 48                 | NOTICE OF FILING by plaintiff ERIC BURTON COOPER regarding correspondence to DOJ and FBI; attachments (cdw) (Entered: 09/04/2001)   |
| 09/04/2001 | 49                 | STATUS REPORT by federal defendants on plaitiff's attempt to pay copying fees (cdw) (Entered: 09/06/2001)   |
| 10/02/2001 | 50                 | STATUS REPORT by federal defendants DOJ, and FBI regarding payment of fees; Exhibits (1) (ag) (Entered: 10/04/2001)   |
| 11/01/2001 | 51                 | STATUS REPORT by federal defendant DOJ (cdw) (Entered: 11/02/2001)  |

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| 11/08/2001 | 52                 | NOTICE by federal defendants to Court concerning mail service at US Attorney's Office; c/m 11/8/01 (cdw) Modified on 11/09/2001 (Entered: 11/09/2001)  |
| 11/08/2001 | 53                 | STATEMENT filed by plaintiff ERIC BURTON COOPER, regarding: disputed issues with regards to FOIA documents produced by FBI; exhibits (3); c/m 10/26/01 (cdw) (Entered: 11/27/2001)   |
| 12/03/2001 | 54                 | STATUS REPORT by federal defendants DOJ, FBI (nmr) (Entered: 12/04/2001)   |
| 12/10/2001 | 55                 | STATUS REPORT by federal defendant DOJ (cdw) (Entered: 12/21/2001)   |
| 12/10/2001 | 56                 | MOTION filed by federal defendant DOJ to set a schedule for providing plaintiff a Vaughn index and summary judgment briefing (cdw) (Entered: 12/21/2001)   |
| 12/28/2001 | <a href="#">57</a> | ORDER by Judge Henry H. Kennedy : granting motion to set a schedule for providing plaintiff a Vaughn index and summary judgment briefing [56-1] by DOJ ; defendants motion for summary judgment due 4/1/02 ; (N) (dcn) (Entered: 12/28/2001)   |
| 03/29/2002 | 58                 | MOTION filed by federal defendants to extend time for three days in which to file the FBI's Vaughn Index and defendant's motion for summary judgment on behalf of the FBI (cdw) (Entered: 04/02/2002)  |
| 04/04/2002 | <a href="#">59</a> | ORDER by Judge Henry H. Kennedy : granting motion to extend time for three days in which to file the FBI's Vaughn Index and defendant's motion for summary judgment on behalf of the FBI [58-1] by FBI, DOJ motion for summary judgment due by 4/4/02 ; (N) (clv) (Entered: 04/04/2002)  |
| 04/04/2002 | 60                 | MOTION filed by federal defendant DOJ for summary judgment exhibits (3); bulky pleading (cdw) (Entered: 04/05/2002)  |
| 04/04/2002 | 61                 | VAUGHN INDEX (exhiit C to the fifth Hodes declaration) by federal defendant FBI; (3 volume bulky) (cdw) (Entered: 04/09/2002)  |
| 04/15/2002 | <a href="#">62</a> | ORDER by Judge Henry H. Kennedy: plaintiff shall file a response to defendant's motion for summary judgment no later then 5/6/02. If the plaintiff does not respond, the Court may treat the motion as conceded and enter judgment in favor of defendant. plaintiff's response to motion for summary judgment due 5/6/02 (N) (dam) (Entered: 04/15/2002) |
| 06/11/2002 | <a href="#">63</a> | MEMORANDUM OPINION by Judge Henry H. Kennedy (N) (dcn) (Entered: 06/12/2002)   |
| 06/11/2002 | <a href="#">64</a> | JUDGMENT by Judge Henry H. Kennedy in favor of federal defendant FBI against plaintiff ERIC BURTON COOPER (dcn) (Entered: 06/12/2002)  |